

G. R. S. 58]

Previous references.

Amz 59-72-31-32
28+30

K. S. S. S. S.

1922

(*Amzoni*)

File No. *59-22*

Serial Nos. *33-35+42*

Later references

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. *4*

Part B for *January 1925*

SUBJECT

Solicits instruction as to the action to be taken in the matter of the loan of Rs 1500/- said to have been conducted by the late source of the Sri Obhivance Kalle mashe with one Lakshminarayana Upadhyaya of Elippi.

G. O. No 1017-8 *dated 12.1.25* *Comptroller*

The claim may be admitted and the Dy. Comr Shrinaga authorized to settle the accounts.

[Signature]

MUZRAI SECRETARIAT.

(*Muzrai*)

NOTES.

File No. *57-22*

FILE HEADING.

Loan of Rs 1500/- said to have been
contracted by the late Sonny of Sri Bhuvana-
kalle matt with one dakeshmi Narayana Upadhyaya
of *22/20*.

From

The Muzrai Comr.

C No 251

Dated

26.8.24

Received

28.8.24.

Diary No.

249

Enclos.

Spare Copies.

Serial No.

5

BRIEF ABSTRACT OF LETTER.

Solicits instructions in consultation with the Legis-
lative Secretary, as to the action to be taken,
and the reply to be sent to the Vakil
in reply to his registered notice to the Dy. Comr.

NOTES AND ORDERS.

The Muz Comr's letter explains
the facts of the case.

✓ The Muz. Comr reports in para
2 of his letter that he has called for
a copy of the document with a
statement of actual income & expenses.

Serial
No.

together with a list of debts
due by the maff so far as
information could be gathered
submitted for orders

AV

29.8.1924

3 The opinion of the L & S Secy
may be requested.

24

29.8.24

Rec Secy

30.8.24

Yes 1.31.24

1.4.24

L & S Secy

L & S Secy

29.8.24

C 28.24
L & S

2 collections of
muzz 7 no 59-22,
20 & 30 and 31-32
(1) (2)
are put up.

AV
5.9.24. 29.9.24

It is purely a question of fact.

The Secy. or any one interested must
cause enquiries to be made
regarding (1) the necessity for contracting
the loan & (2) the binding nature of
the debt upon the successors of the maff.
If the result of the enquiry is
communicated, I shall be in
position to express my opinion.

Rec Secy
L & S (comple)

6.9.

29.9.24
9.9.24

Serial
No

Dft. Submt

AV
9.9.24

of the usual be/mision

10 qm.

249
10 q2 no member
69

10 qm

98m

11 qm

34 The Muz. Comm^{ny} No. 405 d. 13.9.24.

Requests him to cause enquiries to be made as to the necessity for constructing the loan, the kind and nature of the debts upon the success of the Muz. and report his result.

35. From, the Muz. Comm^{ny}

Letter no C. 201 dt 3.9.24

Forwards a copy of the

Registered dt 1.10.24

The loan of 100000

656

III.2]

Muzrai
Secretariat

Muz. File No.

59

of 1927

Serial
No.

That the claim proposed is a
valid one and has to be
admitted.

May the file be sent
on to L. L. Sect (vide para
+6)
& of the office

Submitted

29/

13.11.27

22.11.27

Dev. Secy

11) Yes

25/11/27

L & L Sect

C. 64-24
Law

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

12) This attention is
 drawn to the fact that
 opinion in the Mrs
 file 59-20²⁸²³⁰ regarding
 the power of the head
 of a trust to contract
 debts during his
 successors - In the
 present case, though
 necessity has been
 shown to have existed
 for contracting the
 loan, the amount
 borrowed is reported to
 have been utilized
 on the construction
 certain buildings
 which are yielding
 good returns by way
 of rent. As such the
 debt has derived
 benefit from the
 loan and is con-
 siderably liable to
 repay the same.
 The amount may
 therefore in this case
 be repaid

—Should routine notes be written on small slips,
 the notes must be copied, or slips pasted on
 this form.

1820
 27711/24

Serial
No.

18/ Dft. S.O. Submtr

ms
3-7-25 - 5/1/25

19/ *Isne*
b

42 2. The Muz. Commr^y & Compt^y No. 1017-8 d.
12-1-25. Functions the Muzrai Commr^y
recommendation in d. 86.

File No. _____

of 19 .

General and Reference
Secretariat

Serial
No

6-25

Encl. one Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 23rd August 1924.

27

From

K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

K. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

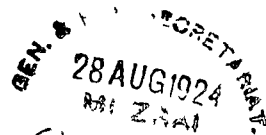
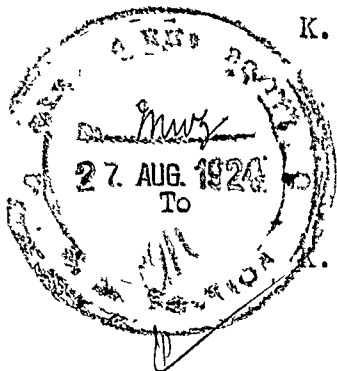
Revenue Department.

Sir,

I have the honor to submit herewith for orders of Government -- copy of letter O.C.No.75/Rev.22-23 dated 19th August 1924 from the --- Deputy Commissioner, Shimoga District, soliciting instructions in the matter of the repayment of a loan of Rs.1500/- said to have been ---- contracted by the late Swamimalu of the Sri Bheemanakatte matha in the Thirthahalli Taluk, with one Lakshminarayana Upadhyaya of Udipi. The agent of the matha who was asked to state the exact circumstances --- under which the loan in question was resorted to has not furnished any information helpful for the disposal of the claim beyond saying that a copy of the registered document will be found in the "from" Register of the Matha for the year 1918 and that this register is now in the ---- custody of the Udipi Munsiff's Court as an exhibit.

As regards the arrears of interest claimed by the creditor the agent says that he holds the lease right of the matha building at Udipi and that he is in arrears to the extent of Rs.125/- and that on account of the default in the payment of the rent, there has been no payment -- towards interest which fell due in October 1923.

2. I have called for a copy of the document together with a statement of actual income and expenditure of the matha from the date its management was assumed by Government and shall submit the same as soon as received. The Deputy Commissioner has also been requested to -- up a list of debts due by the Matha to several persons so far as ---



av
25/

information on this point could be got from the agent
available records of the Matha.

3. In the meanwhile, I solicit the favour of instructions in
consultation with the Legislative Secretary as to the action to be taken
and the reply to be sent to the vakil in reply to his registered notice
to Deputy Commissioner.

I have the honor to be,

Sir,

Your most obedient servant

KSR.


Muzrai Commissioner.

Letter No.O.C.75/Rev.22-23 dated 19th August 1924 from the 'D'
Deputy Commissioner, Shimoga District to the Muzrai Commissioner in
Mysore.

"I have the honor to state that a registered notice dated 27-7-1924, was received in this office on 1-8-1924, from Mr. A. Lakshminarayana Rao, High Court Vakill, Udipi, to the effect that he has been instructed by his client Lakshminarayana Upadhyaya to take legal steps for the recovery of the amounts due to him under a registered bond for Rs.1,500/- dated 23-10-18, executed by the late Swami of the Bhimanakatte Matt. Under the bond it is said that Rs.1,000/- out of the total of Rs.1,500/- fell due on 23-10-1923, and that the interest for the year -- ending 23-10-1923, has also become due. It is further stated by the Vakill that the interest at the enhanced rate of 7% on Rs.1,000/- from the due date and also interest at 12% on the arrears of interest of Rs.62-8-0 up to 23-10-1923 are also liable to be paid.

When this matter was referred to the Amildar, Thirthahalli, for reporting with the connected papers, he informs on the strength of the agent's communication that there are no records or documents relating to this matter in the matt; that the "From" book in which a copy of this document is entered relates to the year 1918, and that this book is now lying as an exhibit in the Udipi Munsiff's Court.

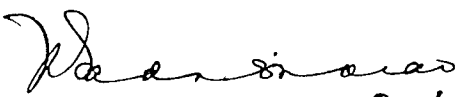
Under the circumstances, I solicit instructions in the matter of proceeding with the question on hand.

The file on the subject, with the registered notice is forwarded

for

forwarded for favour of reference and kind return

"Copy"


Muzrai Commissioner. 25/8/24.

KSR.

1'

Muz 4]

SUBJECT.....

Diary No. of letter replied to _____

Muzrai Secretariat

()
, the 192

Section *N'ny.*

File No. *57-22*

Serial No. *317.*

No. *405*
on file

Date of issue *13.4.26*

To

The Muz Comr

Signed by *H. T. ...*

Sir,

*Adverting to your
Letter no C. 251 d) 26th
August 1926 in the
matter of the loan
of Rs 1500/- said to
have been contracted
by the late Swami
of Sri Bhairavakatte
matt with one Laxmin
Narayana Upadhyaya*

undipi, I am directed
to request that you will
be so good as to ask ^{cause} the
^{Enquiry was made}
~~By Comr, Shimoga, to conduct~~
~~enquiry regarding the~~
necessity for contracting
the loan, and the binding
nature of the debts
upon the successors of
the maff, and report
the result so as to reach
this office not later
than the 10th prox.

(2) No enab. are rehus

I have etc.

10.4.41
Pls In Recd. Secretary.

10/7/24

List of enclosures.

Copied by

Examined by

22624

No. C.251 of 24-25
Enc. one file.

Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 5th November 1924.

From

K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

B a n g a l o r e .

GEN. & F. SECRETARY
10 NOV 1924
MUZRAI

D. 656.

K. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

AV
Sir,

With reference to your letter No.405/M.F.59-22-34 dated 13th September 1924 in the matter of the loan of Rs.1500/- said to have - been contracted by the late Swami of the Sri Bhimanakatte Matha with one Lakshminarayanaupadhyaya of Udipi, I have the honor to submit herewith copy of letter O.C.'75/Rev. of 22-23 dated 2nd November 1924 from the Deputy Commissioner, Shimoga District, forwarding a copy of the registered document obtained from Mr. Lakshminarayana Rao, High Court Vakil, Udipi and stating that he is of opinion that the debt is of a binding nature upon the successors of the late Swami and has to be discharged.

2. As the debt is said to have been contracted for a specific -- purpose, viz., for constructing houses in Udipi and as these houses are yielding an appreciable income to the matter by way of annual -- rental, I am also of opinion that the claim preferred by Lakshmi-Narayana upadhyaya is a valid one and has to be admitted. I beg -- therefore to recommend that the claim may be admitted and the Deputy Commissioner authorised to settle accounts in communication with -- Mr. Lakshminarayana Rao, counsel for the creditor.

3. The file of vernacular papers is sent for reference and kind return.

I have the honor to be,
S i r,
Your most obedient servant,

K. Chandy

KSR.

Muzrai Commissioner.

BR.

Letter No. O.C. Rev. of 1922-23 dated 2nd November 1924 from the Deputy Commissioner. Shimoga District to the Muzrai Commissioner in Mysore.

"With reference to correspondence ending with your C.No.251 of 1924-25 dated Nil regarding the loan of Rs.1500/- contracted by the late Swami of Sree Bheemanakatte Matt with one Lakshminarayana Upadhyaya of Udipi, I have the honor to state that from the marginally

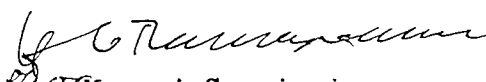
-----	noted records herein
1. Registered card received from Mr. A. Lakshminarayana Rao.	} enclosed it would appear that the debt was contracted for the purpose of building seven houses in the Maruthi Beedi of Udipi town and that these
2. His letter dated 6-10-24.	
3. Copy of the registered deed dated 23-10-18.	
4. Records ending with the Thirthahalli Sub Division Officers report No. H.C.82 of 1924-25 dated 30-9-1924.	
5. Records ending with the said Officer's report No.O.C.75 of 22-23 dated 4-10-24.	

houses now belong to the Matt and are fetching an annual rental of Rs.500

a list of liabilities furnished by the Agent Mr.Lakshminarayanachar debt finds a place. It is also to be found in the statement --- shed by the Sub Division Officer and referred to in para 10 of this a letter No.O.C.75 Rev. of 22-23 dated the 19th September 1922. In circumstances, I am of opinion that the debt is of a binding --- a upon the successors of the Matt and has to be discharged. The Mr.Lakshminarayanachar says in his report No.224/24 dated 13th t 1924 that a sum of Rs.150/- is due to the Matt from the Creditor Lakshminarayana Upadhyaya on account of rent. Since there is sufficient fund at the credit of the institution the full debt might be discharged after settlement of accounts. If this proposal is approved I shall - correspond with Mr. A. Lakshminarayana Rao, the Counsel of the Creditor, and settle the matter.

2. A copy of the registered document obtained from the creditor's Counsel is enclosed, The statements furnished by the Amildar of --- Thirthahalli Taluk with his report No.186 dated 23rd September 1924 furnishes the particulars called for in your letter No.C.251 of 1924-25 dated the 26th August 1924. These particulars as then existed were also furnished with this office letter No.O.C.75 Rev.22-23 dated the 19th September 1922."

"Copy"


Muzrai Commissioner.

KSR.

SUBJECT.....

Diary No. of letter replied to.....

Section *Muz*

File No. *59*

Serial No. *1922*

General and Revenue Secretariat

()

, the

191 .

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Read—

Date of issue..... *12.1.25*

Signed by *Mr. T. R.*

May this be

- Printed
- treated as a standing order
- published in the Gazette,
English Part?
- translated
- placed at the disposal of the press
- published in the Gazette,
Kannada Part?

4
(com)

Correspondence ending with
letter no. C. 251 of 5th Nov.
1924 from the Muz. Comr.
reporting that the late
Sri Bhuvanavakke
matt in the Tirthahalli
Taluk ^{intended} ~~extracted~~ a loan
of Rs 1500/- per ^{Order Thereon No.} ~~one~~ one
Lakshminarayana Upadiga
of Udipi as per regd.
document of 23.10.1918
for constructing houses
at Udipi, and ^{recommending} ~~that~~ as the

Muz. Comr.
20.1.25

income to the math by way
of annual rental, ^{and} the claim
preferred by Lakshminarayana
Upadhyaya is a valid one, and
~~recommending that the claim~~
may be admitted and the
Dy. Commr, ^{Shri} authorized to settle
accounts in communication
with Mr. Lakshmi Narayana Rao,
counsel for the creditors.

Order thereon No 1017-8/muz 59-4
Enc one file 12-2

List of enclosures.

The muz. Commr's
recommendation is sanctioned

5.1.25

Res. Secretary

Copied by

Examined by

By

me

5/1/25
muz. Commr

in

concept, M. G.

with records.